

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

**PUBLIC HEALTH AND MEDICAL
PROFESSIONALS FOR TRANSPARENCY,**

Plaintiff,

v.

FOOD AND DRUG ADMINISTRATION,

No. 4:21-cv-1058-P

Defendant.

v.

PFIZER, INC.,

Movant.

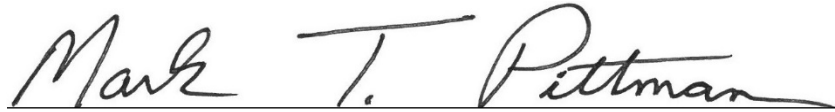
ORDER

Before the Court is Movant Pfizer, Inc.'s Motion to Intervene for a Limited Purpose ("Motion"). ECF No. 40. On January 28, 2022, the Court held a hearing on the Motion, where Pfizer represented that their interests in the litigation are currently aligned with Plaintiff *and* Defendant. To that end, Pfizer seeks, like Plaintiff and Defendant, the expeditious production of the requested documents.

Pfizer also (correctly) recognizes that the Parties' currently aligned interests could potentially diverge. For instance, the Parties could disagree about which documents, or portions of documents, should or should not be redacted prior to production. Accordingly, Pfizer seeks to intervene because their interests might not be adequately represented by either Plaintiff or Defendant in the future. *See, e.g., Wal-Mart Stores, Inc. v. Tex. Alcoholic Beverage Comm'n*, 834 F.3d 562 (5th Cir. 2016); *Entergy Gulf States La., L.L.C. v. EPA*, 817 F.3d 198 (5th Cir. 2016); *Texas v. United States*, 805 F.3d 653 (5th Cir. 2015).

The Court, however, concludes that it will defer ruling on the Motion until a conflict is imminent or has, in fact, manifested. The Court will therefore hold Pfizer's Motion in **ABEYANCE**. Pfizer is **INSTRUCTED** to file a concise Notice with the Court if a conflict is imminent or has, in fact, manifested.

SO ORDERED on this **7th day of February, 2022**.

A handwritten signature in black ink that reads "Mark T. Pittman". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Mark T. Pittman

UNITED STATES DISTRICT JUDGE